

REMARKS/ARGUMENTS

Claim 1 is pending herein. Claim 1 has been amended to correct matters of form only. Claim 2 has been cancelled without prejudice or disclaimer.

Examiner Parsley is thanked for courtesies extended to Applicant's representative (Timothy D. Evans) during a telephonic interview on June 21, 2005. The substance of that interview has been incorporated into the following remarks.

1. Claim 1 was rejected under §102(b) over Correll. To the extent that this rejection may be applied against the amended claim, it is respectfully traversed.

As amended, claim 1 recites, among other things, a lure comprising a body that consists of a hard material. Per MPEP §2111.03, the phrase "consists of" excludes any element, step, or ingredient not specified in the claim phrase.

Correll, in column 4, lines 42-45, discloses that the "material of the body 10 may be any which are waterproof, flexible and tough, such as vulcanized rubber, urethane, PVC, and the like." In the rejection, Examiner Parsley referred to column 4, lines 63-68 and column 5, lines 1-6, which disclose a brace 20 that "must be more rigid than the material of the body 10." The brace 20 is further explained in column 5, lines 17-30 to cover at most the entire head region "with the flexible rear section attached to it at a waist." Therefore, Applicant respectfully submits that Correll does not teach or suggest a lure wherein the body portion consists of a hard material, as recited in pending claim 1.

Applicant respectfully submits that claim 1 defines patentable subject matter over Correll. Accordingly, Applicant respectfully submits that claim 1 is in condition for allowance.

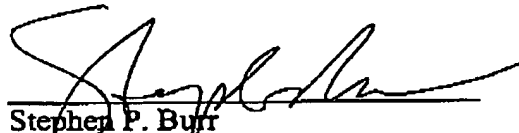
If Examiner Parsley believes that contact with Applicant's attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

June 21, 2005

Date



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